



DAC
PATENT
29618/38939 *IFW*

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant: EBY, ET AL.
Serial No.: 10/626,080
Filed: JULY 24, 2003
Title: DESKTOP FILING SYSTEM
Group Art Unit: 3634
Examiner: Robert W. Gibson

) I hereby certify that this paper is
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) Commissioner for Patents, P.O. Box
) 1450, Alexandria, VA 22313-1450,
) on November 23, 2004.

Thomas A. Miller
Thomas A. Miller
Reg. No.: 40,091

**RESPONSE TO DECISION ON
PETITION UNDER 37 C.F.R. § 1.47(A)**

Mail Stop Petitions
Senior Petitions Attorney Douglas I. Wood
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Mr. Wood:

In response to the decision dated September 7, 2004 dismissing the petition filed under 37 CFR 1.47(a), applicants enclose herewith a new declaration signed by inventor David C. Eby. As the decision stated that the petition was acceptable but for such a declaration, and such declaration is enclosed with this petition, applicants respectfully submit that the petition is in condition for grant and respectfully solicits same. Should the Examiner have any questions, he is invited to telephone the undersigned.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP

November 23, 2004

By: *Thomas A. Miller*
Thomas A. Miller - Reg. No.: 40,091
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402
(312) 474-6300